



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Francois MALLET et al.

Group Art Unit: 1634

Application No.: 09/680,946

Examiner: J. Fredman

Filed: October 6, 2000

Docket No.: 028662.96

For: RNA AMPLIFICATION METHOD REQUIRING ONLY ONE
MANIPULATION STEP

**REQUEST FOR CORRECTED ACKNOWLEDGMENT OF
CONSIDERATION OF DISCLOSED INFORMATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on October 6, 2000. Applicants have received back from the Examiner a copy of the Form PTO-1449 initialed to acknowledge the fact that the Examiner has considered the cited disclosed information.

In preparing the Form PTO-1449, the cited disclosed information was listed as it was listed on the cover page of U.S. Patent No. 5,817,465 (hereinafter "the 465 patent"), the present application being a reissue of the 465 patent. However, it has subsequently come to Applicants' attention that the Patent Office created several errors on the cover page of the 465 patent, specifically in the "References Cited" section. Thus, since the Form PTO-1449 was created based on the cover page of the 465 patent, several of the references were incorrectly listed on the Form PTO-1449 filed October 6, 2000, and therefore do not correspond to the references that the Patent Office has in its files. See, in particular, U.S. Patent No. 5,229,297, which was incorrectly referred to on the cover of the 465 patent and in the Form PTO-1449 filed October 6, 2000 as U.S. Patent No. 5,229,287, and WIPO Publication No. 91/09944, which was incorrectly referred to on the cover of the 465 patent and in the Form PTO-1449 filed October 6, 2000 as WIPO Publication No. 91/04944.

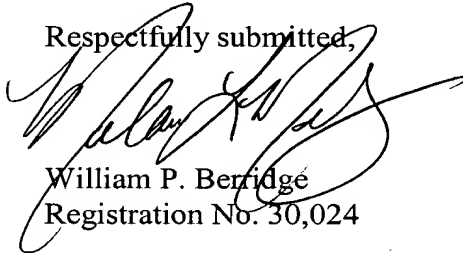
In order to ensure that the references are correctly listed on any reissue patent that issues in the above-captioned patent application, a corrected Form PTO-1449 is attached.

The attached Form PTO-1449 corresponds to the Form PTO-1449 filed October 6, 2000, except that the references have been numbered and corrections have been made to references 4, 11, 13, 15, 16, 18, 19 and 23. It is respectfully requested that the Examiner initial the attached Form PTO-1449 and return a signed copy thereof to the undersigned.

A bona fide attempt to disclose these references was timely made on October 6, 2000. Thus, particularly in view of the Patent Office errors and the fact that the Patent Office files contained the correct references, and the fact that the Patent Office has acknowledged consideration of the references, correct copies of which were in its files, it is respectfully submitted that no fee is required for acknowledgement of consideration of the references correctly identified herein. However, please debit Deposit Account No. 15-0461 as needed in order to ensure that these references are considered.

Should there be any questions concerning this communication, please telephone the undersigned at the number set forth below.

Respectfully submitted,



William P. Berridge
Registration No. 30,024

Melanie L. Mealy
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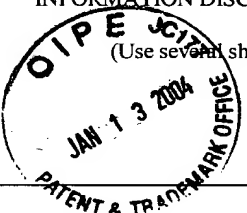
WPB:MLM/jam

Date: January 13, 2004

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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Form PTO-1449 (REV. 8-83)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 028662.96		APPLICATION NO. 09/680,946	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) <div style="position: absolute; left: 100px; top: 100px; border: 2px solid black; border-radius: 50%; padding: 10px; transform: rotate(-15deg);"> OIPE JCL JAN 13 2004 PATENT & TRADEMARK OFFICE </div>				APPLICANT(S) Francois MALLET et al.			
				FILING DATE October 6, 2000			
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	
	1	4,683,195	7/1987	Mullis et al.			
	2	4,683,202	7/1987	Mullis			
	3	5,021,335	6/1991	Tecott et al.			
	4	5,229,297	7/1993	Schnipelsky et al.			
	5	5,654,143	8/1997	Mallet et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	
	6	0397463	11/1990	EPO			
	7	0479158	4/1992	EPO			
	8	2669347	5/1992	France			
	9	8601827	3/1986	WIPO			
	10	9102817	7/1991	WIPO			
	11	9109944	7/1991	WIPO			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	12	W.T. Tse et al., "Reverse Transcription and Direct Amplification of Cellular RNA Transcripts by Taq Polymerase", <i>Gene</i> , vol. 88, No 2, Apr. 16, 1990, pp: 293-296.					
	13	E. Shimomaye et al., "Use of Avian Myeloblastosis Virus Reverse Transcriptase at High Temperature for Sequence Analysis of Highly Structured RNA", <i>Gene Analysis Techniques</i> , vol. 6, No. 2, Mar./Apr. 1989, pp. 25-28.					
	14	Chirgwin, J.M. et al. "Isolation of Biologically Active Ribonucleic Acid from Sources Enriched in Ribonuclease", <i>Biochem.</i> , 18:5294-5299 (1979).					
	15	Glisin, V., et al., "Ribonucleic Acid Isolated by Cesium Chloride Centrifugation", <i>Biochem</i> , 13:2633-2638 (1973).					
	16	Goblet, C., et al., "One-Step Amplification of Transcripts in Total RNA Using the Polymerase Chain Reaction", <i>Nucleic Acids Research</i> , vol. 17, No. 5, (1989) p. 2144.					
	17	Schwartz, S., et al., "Cloning and Functional Analysis of Multiply Spliced mRNA Species of Human Immunodeficiency Virus Type I", <i>Journal of Virology</i> , vol. 64, No. 6, Jun. 1990, pp. 2519-2529.					
	18	Nuovo, G., et al., "Detection of Human Papillomavirus DNA in Formalin-fixed Tissues by <i>In situ</i> Hybridization After Amplification by Polymerase Chain Reaction", <i>Am. J. Pathol.</i> , 139, 847-854 (1991).					
EXAMINER					DATE CONSIDERED		
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	19	Becker-Andre, M. et al., Absolute mRNA Quantification Using the Polymerase Chain Reaction (PCR). A Novel Approach by a PCR Aided Transcript Titration Assay (PATTY), <i>Nucleic Acids Res.</i> , (17):9437-9447 (1989).					
	20	Myers, T.W., et al., "Reverse Transcription and DNA Amplification by a Thermus Thermophilus DNA Polymerase", <i>Biochem</i> , 30:7661-7666 (1991).					
	21	Robert-Guroff, M. et al., "Structure and Expression of <i>tat</i> -, <i>rev</i> -, and <i>nef</i> -Specific Transcripts of Human Immunodeficiency Virus Type I in Infected Lymphocytes and Macrophages", <i>J. Virol.</i> , 64 (7):3391-3398 (1990).					
	22	Guatelli, J.C., et al., "Alternative Splice Acceptor Utilization during Human Immunodeficiency Virus Type 1 Infection of Cultured Cells", <i>J. Virol.</i> , 64(9):4093-4098 (1990).					
	23	Benko, D.M. et al., "A Novel Human Immunodeficiency Virus Type 1 Protein, <i>tev</i> , Shares Sequences with <i>tat</i> , <i>env</i> , and <i>rev</i> Proteins", <i>J. Virol.</i> , 64:2505-2518 (1990).					
	24	Schwartz, S. et al., "Env. and Vpu Proteins of Human Immunodeficiency Virus Type 1 are Produced from Multiple Bicistronic mRNAs", <i>J. Virol.</i> , 64(11):5448-5456 (1990b).					
	25	Holland, S.M. et al. "Immunodeficiency Virus Rev. Protein Recognizes a Target Sequence in rev-responsive Element RNA within the Context of RNA Secondary Structure", <i>J. Virol.</i> , 64(12):5966-5975 (1990b).					
	26	Lawrence, J., et al., <i>Human Retroviruses and Aids</i> , (1990), edited by Myers, G., et al.					
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